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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,103	11/21/2001	Hiroshi Hashimoto	SIW-023	2875
959	7590	02/24/2004	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			MANCHO, RONNIE M	
			ART UNIT	PAPER NUMBER

3663

DATE MAILED: 02/24/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

09/991,103

Applicant(s)

HASHIMOTO ET AL.

Examin r

Ronnie Mancho

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-- The MAILING DATE of this communicati n appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 4-9 is/are allowed.
6) ☒ Claim(s) 1 and 2 is/are rejected.
7) ☒ Claim(s) 3 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Gruenwald et al (6484830).

Regarding claim 1, Gruenwald et al (figs. 1-4) disclose a vehicle control system comprising:

a plurality of control devices each comprising a computer (see for e.g. fig. 4; all accessory drive unit, air compressor unit, power steering unit, etc), which form a plurality of subsystems connected to respective controlled objects (AC, power steering cooling pumps, etc); and

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a cooperative control device comprising a computer (vehicle system controller, fig. 4), which cooperatively operates said plurality of computer control devices (see for e.g. fig. 4; all accessory drive unit, air compressor unit, power steering unit, etc) through a communication line (see the circuit in fig. 4), wherein each of said plurality of computer control devices (see for e.g. fig. 4; all accessory drive unit, air compressor unit, power steering unit, etc) comprises an input/output computer control device (All Gear Accessory Drive. i.e. each of the units have an input/output connection through the All Gear Accessory Drive) for conducting input and output processing for the signals sent and received between said cooperative control device (vehicle systems controller) and said controlled objects (AC, power steering cooling pumps, etc), wherein

said cooperative control device (vehicle systems controller) comprises a control calculation device for calculating control signals which control operations of said plurality of computer control devices (see for e.g. fig. 4; all accessory drive unit, air compressor unit, power steering unit, etc) and said controlled objects (AC, power steering cooling pumps, etc) based on the received signals that have been received from said plurality of computer control devices (see for e.g. fig. 4; all accessory drive unit, AC, power steering, cooling pumps, etc). Note!

Applicants are referred to col. 5, lines 9 to col. 6, lines 65; col. 4, lines 27-67 as the limitations are self-explanatory.

Regarding claim 2, Gruenwald et al disclose the vehicle control system according to claim 1 wherein said control calculation device of said cooperative control device (vehicle systems controller) calculates controlled physical values to be attained by operations of said plurality of control devices (see for e.g. fig. 4; all accessory drive unit, air compressor unit, power steering unit, etc) and said controlled objects (AC, power steering cooling pumps, etc) as

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control signals which control the operation of said plurality of control devices and said controlled objects; and

said input/output control devices of said control system convert said controlled physical values which have been received from said cooperative control device (vehicle systems controller) to operation command values that indicate directly the operation of said control devices see for e.g. fig. 4; all accessory drive unit, air compressor unit, power steering unit, etc) and said controlled objects (AC, power steering cooling pumps, etc). Note! Applicants are referred to col. 5, lines 9 to col. 6, lines 65; col. 4, lines 27-67 as the limitations are Self-explanatory.

Allowable Subject Matter

3. Claim 4, 5-9 are is allowed.

4. The following is an examiner's statement of reasons for allowance:

In claim 4, the prior art does not disclose the limitation "a priority assigning device which assigns a priority to the data sent and received via said communication lines;

a plurality of FIFO storage devices which temporarily store said data after being classified depending on said priority; and

a data sending device which sends said data according to its priority from said FIFO storage device which stores said data having high priority."

Claims 5 and 6 are allowed for their dependence on allowed claim 4.

In claims 7-8, the prior art does not disclose "said data sending and receiving device of said cooperative control device, depending on the results of the determination by the

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determination device, sends and receives said data to and from each of said plurality of communication ports of said control devices, and in addition, said data sent to and received from said communication ports where said abnormality has occurred is sent to and received from any communication ports where said abnormality has not occurred.”

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

5. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

In claim 3, the prior art does not disclose the limitations “the vehicle control system according to claim 1 wherein said plurality of control devices provides an autonomous control device which controls the operations of said controlled objects independently from said cooperative control device during the occurrence of an abnormality between said communication systems and said cooperative control devices or said cooperative control device.”

Response to Arguments

7. Applicant's arguments filed 12-02-03 have been fully considered but they are not all persuasive for the following reasons:

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With respect to claim 1, the applicant argues that the prior art reference, Gruenwald does not disclose a controller that cooperatively operates the accessory drive unit, the air compressor unit and the power steering unit or any other control devices. In response, the examiner respectfully disagrees with the applicant. Even if Gruenwald does not expressly use applicant's exact wordings in the claim limitation, any one of ordinary skill in the art of electrical circuits can understand that, in fig. 4, the vehicle systems controller 14, controls all the units connected to it. The units directly connected to the controller 14 also control other units further connected to them and so forth hierarchically. The units connected to the controller 14 cooperate with the other units including the controller 14 to control for example the air compressor, power steering, steering pump, A/C, etc in Gruenwald. The applicant only argues that Gruenwald does not disclose a cooperative controller, but does not say why the prior art controller does not cooperate with the other controller units to control the for example the air compressor, power steering, steering pump, A/C, etc.

As such, the examiner believes that the rejection is proper and stands.

The rejections to claims 4-9 have been withdrawn in view of applicant's amendments.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Communication

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 703-305-6318. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Black can be reached on 703-305-8233. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Ronnie Mancho
Examiner
Art Unit 3663

February 12, 2004

Mancho
THOMAS A. FRIED
SUPERVISORY PATENT EXAMINER
GROUP 3663